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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

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WALTER A.Y.H. CHINN, CLERK

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES I. SOUZA,

MARIA LEOLANI SPENCER,

Defendants.

CR. NO.

INDICTMENT

Count 1: 18 U.S.C. §§

922(g)(1) and 924(a)(2)

Count 2: 18 U.S.C. §§

922(g)(3) and 924(a)(2)

Count 3: 18 U.S.C. §§

2, 922(g)(3) and 924(a)(2)

Count 4: 18 U.S.C. §§

922(g)(3) and 924(a)(2)

INDICTMENT

COUNT 1

(18 U.S.C. §§ 922(g)(1), 924(a)(2))

The Grand Jury charges that:

On or about a date approximately between August 7, 2003, and August 28, 2003, in the District of Hawaii, the defendant JAMES I. SOUZA, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce: (1) a firearm, to wit, a Smith & Wesson, .357 caliber revolver, bearing serial number S84828, and manufactured by Smith & Wesson in Massachusetts; and (2) ammunition, to wit, nine rounds of Federal .38 caliber ammunition and three rounds of .357 caliber ammunition, with all such ammunition having been manufactured outside the State of Hawaii.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 2

(18 U.S.C. §§ 922(g)(3), 924(a)(2))

The Grand Jury further charges that:

On or about a date approximately between August 7, 2003, and August 28, 2003, in the District of Hawaii, the defendant JAMES I. SOUZA, then being an unlawful user of a controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting commerce: (1) a firearm, to wit, a Smith & Wesson, .357 caliber revolver, with serial number S84828, manufactured by Smith & Wesson in Massachusetts; and (2) ammunition, to wit, nine rounds of Federal

.38 caliber ammunition and three rounds of .357 caliber ammunition, with all such ammunition having been manufactured outside the State of Hawaii.

All in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

COUNT 3

(18 U.S.C. §§ 2, 922(g)(3) and 924(a)(2))

The Grand Jury further charges:

On or about a date approximately between August 14, 2003 and August 28, 2003, in the District of Hawaii, the defendant JAMES I. SOUZA did knowingly aid and abet the commission of an offense against the United States, that is, the illegal possession of a firearm in violation of Title 18, United States Code, Section 922(g)(3), by Maria Leolani Spencer.

All in violation of Title 18, United States Code, Sections 2(a), 922(g)(3), and 924(a)(2).

COUNT 4

(18 U.S.C. §§ 922(g)(3), 924(a)(2))

The Grand Jury further charges that:

On or about a date approximately between August 14, 2003, and August 28, 2003, in the District of Hawaii, the defendant MARIA LEOLANI SPENCER, then being an unlawful user of a controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting commerce a firearm, to wit, a Smith & Wesson, .357 caliber revolver, with serial number S84828, and manufactured by Smith & Wesson in Massachusetts.

All in violation of Title 18, United States Code,
Sections 922(g)(3) and 924(a)(2).


DATED: September 10, 2003, at Honolulu, Hawaii.

A TRUE BILL

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FOREPERSON, GRAND JURY

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UNITED STATES v. JAMES I. SOUZA and MARIA LEOLANI SPENCER
Cr. No. (Indictment)